

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE AT JACKSON**

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**UNITED STATES OF AMERICA**

**v.**

**Case # 1:19cr10041 JBD**

**BRITNEY PETWAY**

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**POSITION PAPER**

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COMES NOW the Defendant, Britney Petway, by and through her counsel of record, Leslie I. Ballin, would respectfully file this Position Paper with respect to the Pre-sentence Report entered in this cause.

Defendant would correct two name spellings contained in paragraph 52. Her correct middle name is Lashannon and her father's correct name is Carlton.

Defendant objects to the drug quantity as calculated for the Base Offense Level of 36 in paragraph 33 of the Pre-Sentence Investigation Report. Defendant would maintain that the correct Base Offense Level should be 24, including relevant conduct, as provided in the Plea Agreement.

Defendant objects to the two level enhancement in paragraph 36 of the Pre-Sentence Investigation Report and would maintain that the use of a special skill is part of the criminal conduct.

Defendant would state that the correct calculation should be a Base Offense Level of 24, less 3 for Acceptance of Responsibility, less 2 for Safety Valve resulting in a Total Offense Level of 19 with a range of 30-37 months.

Defendant would state that with regard to substance abuse in paragraph 62, she does not nor has she ever suffered from substance abuse.

Defendant maintains that this Court should sentence her considering all sentencing factors as contained in 18 USC 3553.

Respectfully Submitted,

/s/ Leslie I. Ballin, Esq.

BALLIN, BALLIN & FISHMAN, P.C.

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Attorney for Defendant Petway

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the Honorable J. Daniel Breen, Jillian Willis, Assistant United States Attorneys and all other interested parties via e-mail, via United States mail, first class postage prepaid, or via hand delivery, this the 1st day of June, 2020.

/s/ Leslie I. Ballin, Esq.